IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.8.2007

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.27207 of 2007

T.M.Mani ... Petitioner

vs.

1. The Revenue Divisional Officer,
Katpadi Taluk,
Vellore District.

2. The Thasildar,
Katpadi Taluk,
Vellore District. ... Respondents

This writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus to direct the respondents 1 and 2 to release the LMV Tractor and Trailor bearing Registration Nos.TN - 23A 8928 and TN23H9112 which is in the custody of the first respondent immediately.

For petitioner : Mr.Mrs.Mouna swamynathan

For respondents : Mr.A.Arumugam
Additional Government Pleader

O R D E R

Mr.A.Arumugam, the learned Additional Government Pleader takes notice for the respondent.

2. With the consent of the learned counsels appearing on either side, the writ petition itself is taken up for final disposal.

3. Considering the facts and circumstances of the case, the respondents 1 and 2 are directed to release the LMV Tractor and the Trailor bearing Registration Nos.TN - 23A 8928 and TN23H 9112, on the following conditions:-

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A) The petitioner shall establish the ownership of the vehicle by producing the necessary documents before the Respondent.

B) The petitioner shall not part with or alienate the vehicle in any manner till the adjudication is over.

C) The petitioner shall deposit with the respondent a sum of Rs.15,000/- (Rupees Fifteen Thousand only) in cash, as agreed.

D) The petitioner shall file an undertaking that he will not use the vehicle for any illegal activities in future and also to produce the vehicle before the respondent as and when called for.

E) The petitioner shall also produce the vehicle once in two months before the respondent herein in order to ensure that condition (B) is properly complied with.

4. In the event of default by the petitioner in complying with condition B or E, it will be open to the respondent to seize the vehicle, without further notice to the petitioner.

5. Apart from releasing the vehicle on the petitioner fulfilling the above conditions, the respondent is further directed to adjudicate upon the matter and pass appropriate orders, in accordance with law, expeditiously.

6. With the above directions, this Writ Petition is disposed of, at the admission stage itself. No costs. Consequently connected miscellaneous petition is closed.

cla

Sd/-
Asst.Registrar

/true copy/

Sub Asst.Registra

To
1. The Revenue Divisional Officer,
Katpadi Taluk,Vellore District.

2. The Thasildar,
Katpadi Taluk,Vellore District.

+1 cc to Government pleader Sr.No.52252.

KK(CO)
dcp/23.8

W.P.No.27207 of 2007

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